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7 UNITED STATES DISTRICT COURT  
8 WESTERN DISTRICT OF WASHINGTON  
9 AT SEATTLE

10 ARTURO MARTINEZ BAÑOS, et  
11 al.,

12 Plaintiffs-Petitioners,

13 v.

14 NATHALIE ASHER, et al.,

15 Defendants-Respondents.

CASE NO. C16-1454JLR-BAT

ORDER ADOPTING REPORT  
AND RECOMMENDATION

16 **I. INTRODUCTION**

17 This matter comes before the court on the Report and Recommendation of United  
18 States Magistrate Judge Brian A. Tsuchida (R&R (Dkt. # 67)) and  
19 Defendants-Respondents Nathalie Asher, Lowell Clark, Thomas D. Homan, John F.  
20 Kelly, James McHenry, and Jefferson B. Sessions's (collectively, "the Government")  
21 objections thereto (Objections (Dkt. # 68)). Having carefully reviewed all of the  
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1 foregoing, along with all other relevant documents, and the governing law, the court  
2 ADOPTS the Report and Recommendation (Dkt. # 67).

## 3 II. STANDARD OF REVIEW

4 A district court has jurisdiction to review a Magistrate Judge's report and  
5 recommendation on dispositive matters. Fed. R. Civ. P. 72(b). "The district judge must  
6 determine de novo any part of the magistrate judge's disposition that has been properly  
7 objected to." *Id.* "A judge of the court may accept, reject, or modify, in whole or in part,  
8 the findings or recommendations made by the magistrate judge." 28 U.S.C. § 636(b)(1).  
9 The court reviews de novo those portions of the report and recommendation to which  
10 specific written objection is made. *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121  
11 (9th Cir. 2003) (en banc). "The statute makes it clear that the district judge must review  
12 the magistrate judge's findings and recommendations de novo if objection is made, but  
13 not otherwise." *Id.*

## 14 III. DISCUSSION

15 The Government's objections do not raise any novel issue that was not addressed  
16 by Magistrate Judge Tsuchida's Report and Recommendation. Moreover, the court has  
17 thoroughly examined the record before it and finds the Magistrate Judge's reasoning  
18 persuasive in light of that record. Accordingly, the court independently rejects the  
19 Government's arguments made in its objections for the same reasons as Magistrate Judge  
20 Tsuchida did.

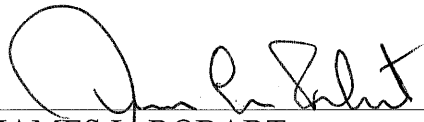
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1 IV. CONCLUSION

2 For the foregoing reasons, the court ADOPTS the Report and Recommendation  
3 (Dkt. # 67) in its entirety. The court DIRECTS the Clerk to send copies of this Order to  
4 the parties and to the Honorable Brian A. Tsuchida.

5 Dated this <sup>th</sup> 11 day of December, 2017.

6   
7 JAMES L. ROBART  
United States District Judge